

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:	§	CASE NO. 19-10286 tmd
	§	
WILLIAM REED HAYWARD,	§	
LULU WANG HAYWARD,	§	
DEBTORS.	§	CHAPTER 7
	§	

WILLIAM REED HAYWARD	§	
	§	
PLAINTIFF,	§	
	§	
v.	§	ADVERSARY NO. 23-1004-rbk
	§	
US DEPARTMENT OF EDUCATION,	§	
	§	
DEFENDANT.	§	

**UNITED STATES OF AMERICA’S (DEPARTMENT OF EDUCATION)
ANSWER TO PLAINTIFF’S ADVERARY COMPLAINT**

COMES NOW the United States of America, Department of Education, (DOE), by and through the United States Attorney for the Western District of Texas, and files this Answer to Plaintiff’s Adversary Complaint.

I. Admits.

II. No response required.

III(A). No response required.

III(B)(1) No response required except to assert that the DOE guidance is for DOE personnel and Assistant US Attorneys.

III(B)(2) Admits.

III(B) (3) Admits.

III(B)(4) Admits except asserts that in the Fifth Circuit the Brunner test is the test used.

III(C)(1a) Unable to admit or deny and further allege that the section is argumentative and no response required.

III(C)(1b) No response required.

III(C)(1c) Unable to admit or deny.

III(C)2(2a) Section is argumentative and no response is required; alternatively unable to admit or deny.

III(C)2(2b) Section is argumentative and unable to admit or deny.

III(C)2(2c) Section is argumentative and unable to admit or deny.

WHEREFORE, the United States of America respectfully requests that the Court deny the Plaintiff's complaint.

Respectfully submitted,

JAIME ESPARZA
UNITED STATES ATTORNEY

By: /s/ Steven B. Bass
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CERTIFICATE OF SERVICE

I certify that on February 21, 2023, a copy of the foregoing "United States of America's (Department of Education) Answer to Plaintiff's Adversary Complaint" was served by either the Court's CM/ECF electronic notification system or by U.S. First Class Mail, postage prepaid, as indicated below:

William Reed hayward
609 Oak Meadows
San Marcos, TX 78666
Via U.S. First Class Mail

/s/Steven B. Bass
STEVEN B. BASS
Assistant United States Attorney